

**IN THE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

IN THE MATTER OF:

**J.C., A MINOR STUDENT,
BY AND THROUGH HIS PARENTS, J.C, AND J.C,**

PLAINTIFFS,

v.

No. 3:16-cv-00609

THE TENNESSEE DEPARTMENT OF EDUCATION,

DEFENDANT.

JOINT MOTION FOR EXTENSION OF MEDIATION DEADLINE

COMES NOW J.C., a minor student, by and through his parents, J.C. and J.C. ("Plaintiffs") and Defendant Tennessee Department of Education ("TDOE") and files this joint motion for extension of time for the parties to engage in the first required mediation of this matter. In support of their Motion, the parties state as follows:

1. On March 16, 2016, Plaintiffs filed the Complaint in the above captioned matter. (D.E. 1).
2. The Court entered an initial scheduling order in this matter on June 27, 2016 containing a deadline for the parties to initially attempt resolution of this case on or before September 19, 2016. (D.E. 25).
3. Prior to that deadline, Plaintiffs did mediate with defendant Metropolitan Nashville Public Schools which successfully resolved defendant Metro's involvement in the case. (D.E. 32; 36).

4. Defendant TDOE did not participate in that mediation as TDOE felt this newly filed matter required further investigation and exploration prior to engaging in settlement discussions or attempted resolution.
5. Plaintiffs and TDOE have now engaged in initial written discovery and Plaintiffs have recently sent a Notice of 30(b)(6) deposition to TDOE. TDOE has responded that it has identified its required deponents and obtained their joint availability for a deposition.
6. The parties' as well as deponents' schedules require this deposition to be on October 4, 2016, which is past the scheduling order's September 19, 2016 deadline. Accordingly, the parties need additional time to conduct the required mediation.
7. Both Plaintiffs and TDOE are working diligently to obtain the necessary discovery required for a productive mediation and therefore respectfully request that the Court grant a brief, forty-five (45) day extension of the original deadline for them to engage in an initial resolution attempt.
8. Such a request is not for purposes of undue delay, but to aid the parties in completing necessary discovery prior to an attempted mediation of this matter.

WHEREFORE, Plaintiffs and Defendant TDOE respectfully request an extension of time, up to and including November 3, 2016, for Plaintiffs and TDOE to attempt resolution of this matter.

Dated this 19th day of September, 2016.

Respectfully submitted,

s/Jessica F. Salonus

JUSTIN S. GILBERT (TN Bar No. 017079)

JESSICA F. SALONUS (TN Bar No.28158)

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ATTORNEY FOR DEFENDANT

TENNESSEE DEPARTMENT OF EDUCATION

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served electronically with the Court's ecf filing system on this the 19th day of September, 2016 upon:

Michael Markham
Civil Litigation and State Services Division
Senior Counsel
P. O. Box 20207
Nashville, TN 37202-0207

s/Jessica F. Salonus_____